

From: [Noam Biale](#)
To: [Murphy, Lindsay M. \(CIV\)](#); [Alexandra Conlon](#)
Cc: [Alexander A Abdo](#); [Courtney Gans](#); [jameel.jaffer](#); [Michael Tremonte](#); [Ramya Krishnan](#); [scott.wilkens](#); [Busen, Jesse \(CIV\)](#); [Hennes, Stefanie \(CIV\)](#); [Kanellis, William G. \(CIV\)](#); [Kanter, Ethan \(CIV\)](#); [Moss, Benjamin M. \(CIV\)](#); [Santora, Victoria M \(CIV\)](#); [Stone, Paul \(CIV\)](#); [Strokus, Jessica D. \(CIV\)](#); [Yen, Shawna \(USAMA\)](#)
Subject: [EXTERNAL] AAUP v. Rubio - Various Outstanding Items
Date: Monday, June 9, 2025 9:28:13 PM
Attachments: [AAUP Revised Case Protective Order - Pls Responses 2025.06.09.docx](#)
[06.09.2025 Stipulation re Government Statements - Signed by Pls.pdf](#)

Dear Lindsay:

In no particular order, here are responses and outstanding requests on various pending issues:

1. Pre-trial deadlines – the local rules require us to meet and confer on a joint pretrial memorandum 14 days before the pretrial conference (which would be 6/12) and file the memorandum no later than 7 days before the conference (which would make it due on 6/19). We think it makes sense to have the meet and confer on schedule but are anticipating that we will want to ask jointly for more time to file the memorandum, since it includes things like witness and exhibit lists that we are unlikely to have in final form by the 19th. Let us know if that works for you.
2. Protective Order – we attach the latest version of the protective order. We propose to drop our request for paragraph 10 in exchange for you accepting our addition to paragraph 3. We can then highlight paragraph 7 – the record-keeping provision – as the only point of disagreement for the Court to resolve. If that is satisfactory, please let us know and we will file this indicating that most of it is on consent and moving on the record-keeping provision.
3. Stipulation re Statement of Government Officials – we have accepted your proposed changes and are attaching a signed version. Please send it back to us with your signature.
4. Clawback agreement – we are awaiting your responses to our proposed edits.
5. Administrative Record and Plaintiffs' outstanding discovery requests – two items:
 - a. On May 29, we requested that you send us the attachments referenced in the administrative record and the two specific documents we asked for concerning Ms. Ozturk. Please provide these immediately or explain why you are declining to do so.
 - b. You also told us that you would get us responses and objections to our RFPs and Interrogatories by the end of last week or beginning of this week. When will you provide those?
6. Defendants' discovery requests – we would like to schedule a meet and confer to

discuss your discovery requests. Please let us know when you have time in the next couple of days for this.

7. Depositions of Defendants' witnesses – four items:

- a. Alex Conlon from my firm will take the depositions. Her PHV application is still in process. Please let us know if you consent to her taking the depositions.
- b. When is the next earliest date Watson is available to be deposed? It is not reasonable to push the ruling from the Court back and then not be at all flexible on the deposition dates.
- c. Unless you have a ruling granting your motion for a protective order by Wednesday AM, you should provide documents and responses to interrogatories concerning both deponents. At a minimum, you must provide all documents related to them or for which they are custodians that you do not contend are covered by the deliberative process privilege.
- d. Please also provide us with the names, titles, and roles of other relevant officials, as we have repeatedly requested, so we may notice their depositions.

8. Depositions of Plaintiffs' witnesses – We will provide the names of the witnesses we currently plan to call (we are still finalizing our list) immediately upon entry of the protective order and pending a ruling on our non-retaliation order and then will work with you to schedule their depositions.

Regards,
Noam



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